

Response to Office Action Mailed January 10, 2007

A. Claims In The Case

Claims 32, 33, 35, and 37 have been rejected. Claims 34, 36 and 38 have been objected to. Claim 32 has been amended. Claims 1-11 and 36 have been canceled. Claims 32, 33, 34, 35, 37, and 38 are pending in the case.

B. Election of Claims

Applicant's representative participated in a telephone interview with the Examiner on December 27, 2006. In the interview, a provisional election was made without traverse to prosecute the invention of Group II, claims 32-38. Applicant sincerely appreciates the Examiner taking the time to discuss the case.

Applicant hereby elects claims 32-38, without traverse, while canceling non-elected claims 1-11. Applicant reserves the right to file a divisional application at a later date capturing the subject matter recited in claims 1-11.

C. Claim Objections

Claims 32-38 were objected to as containing non-elected subject matter. Applicant respectfully disagrees, however, to expedite prosecution Applicant has amended the claims.

D. The Claims Are Not Anticipated By The Cited Art Pursuant To 35 U.S.C. § 102

The Examiner rejected claims 32, 33, 35, and 37 as being anticipated by Dunwell et al., J. Med. Chem. ("Dunwell"). Applicant respectfully disagrees with these rejections.

Claim 32 includes, but is not limited to, the feature of "reacting an acyclic compound having the structure **III** with an acid in a hydrocarbon solvent." Applicant submits that at least this feature, in combination with the other features of the independent claim, does not appear to be taught or suggested by Dunwell.

E. Summary

Based on the above, Applicant submits that all claims are now in condition for allowance. Favorable reconsideration is respectfully requested.

Sean Kerwin
10/720,991

Applicant respectfully requests a two-month extension of time to respond to the Office Action dated January 10, 2007. A fee authorization form in the amount of \$225.00 is enclosed for the extension of time fee. If any further extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5119-12501/EBM.

Respectfully submitted,



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